

**City of Taylorsville**  
**SPECIAL CITY COUNCIL MEETING AND WORK SESSION**  
*Minutes*

**Wednesday, June 14, 2006**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**SPECIAL CITY COUNCIL MEETING**

**Attendance:**

Mayor Russ Wall

**Council Members:**

Chairman Morris Pratt  
Vice-Chairman Jerry Rechtenbach  
Council Member Bud Catlin  
Council Member Les Matsumura  
Council Member Lynn Handy

**City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Mark McGrath, Community Development Director  
Gerry Orr, City Finance Director  
Virginia Loader, City Recorder  
Robin Kishiyama, Council Coordinator  
Ed Spann, Police Lieutenant  
Donald Adams, Economic Development Director  
Cheryl Peacock Cottle, Deputy City Recorder  
Pat Quintana, Executive Assistant  
Mary Lund, Business License Clerk  
Gordon Haight, City Engineer  
Katreena Johnson, Building Department  
Michael Kwan, Justice Court Judge  
Mark McKinnis, Building Department  
Jean Ashby, Economic Development Secretary

**Citizens:** Joelene Dearden, Gordon Wolf, Katie Larsen, Ken Cook, Ted Jensen, Blaine Smith, Terrie Johnson, Kipp Geis, Brent Van Wagoner, Cathy McKittrick, Scott Young, Diana Haslam, Karen Geis, Shauna Petersen, Clara Kehl, Tammy Parking, Roger Parkin, Lisa Riddle, Terri Johnson, Linda Mckay, Alvin Phillips, Gerald Nelsen, Cindy Moyle, Patty Catten, Tamara Beauchamp, Jack A., Amber Preslar, Marg Woodward, Nathan Woodward, Mark Hibbens, Kristen Gabbitas, Michael Gabbitas, Carol Dana, Larry Bodine, Ed Chapman, Marta Chapman, R. Beauchamp, Roger Anderson, Kevin Horrocks

18:03:47 Council Chairman Pratt called the Special City Council Meeting to order at 6:03 p.m. and welcomed those in attendance. City Recorder Virginia Loader conducted a roll-call, and the following Council Members were present: Rechtenbach-present, Catlin-present, Handy-present, Matsumura-present, and Pratt-present.

**1. Public Comment – To Receive Public Comment on the 2006/2007 Fiscal Year Tentative Budget**

Chairman Pratt reviewed policies and procedures for the citizen comment period and invited citizens to make comment concerning the City's Fiscal Year Tentative Budget.

18:06:09 **Linda McKay** read a statement regarding uneven sidewalk surface which caused her to fall. She then presented photographs of herself at the time of the accident. She said that she has spoken with City Engineer Gordon Haight. City Administrator John Inch Morgan was asked to follow through with this issue.

18:11:06 **Guy Webb**, 1357 West 4505 South, spoke of a problem with the storm drain in his area and requested help from the City to keep the storm drain cleared.

18:13:47 **Karen Geis** spoke of her concern in the City paying double for a Police Chief and she expressed her concern in the recent firing of the Chief of Police and the unnecessary impact on the budget.

18:16:35 **Shauna Peterson** said that she is upset with the firing of Chief Marx without the voice of the people.

18:18:11 **Diana Haslam** referred to the proposed budget and expressed her concerns regarding differences in the proposed budget for the City Council and Mayor.

18:21:25 Council Member Bud Catlin responded to Ms. Haslam.

18:23:08 Chairman Pratt also responded to Ms. Haslam.

18:24:15 Council Member Lynn Handy further explained the budget to Ms. Haslam.

18:25:24 City Administrator John Inch Morgan said that he will provide a breakdown of the budget upon request.

Council Member Les Matsumura addressed the citizens.

18:26:23 **Scott Young** requested information regarding the Mayor's proposed budget and he spoke in regards to the firing of Chief Larry Marx. He said that he opposes any increase in the Mayor's or the Council's budget.

Council Member Jerry Rechtenbach addressed the citizens.

18:33:33 Council Member Bud Catlin addressed the citizens.

18:36:13 **Frank Andreason** reported on problems regarding a lack of sidewalk, deteriorating curb and lack of drainage near his property. He also said that there is a tilting telephone pole near the property and his retaining wall is deteriorating due to the drainage problem.

18:40:20 **Keith Sorensen** expressed his concerns regarding the proposed budget.

18:44:53 **Michael Gabitis** spoke in regards to the proposed budget and in regards to the firing of Chief Larry Marx.

18:48:01 Chairman Pratt spoke to the issue of tax increases.

18:48:26 City Administrator John Inch Morgan then addressed the issue of the County's property tax assessment and Truth and Taxation Laws.

18:51:12 Council Member Lynn Handy clarified that the City Council did not or does not have the authority to approve or disapprove the firing of the Police Chief. The City Council is the legislative body of this City and the Mayor is in charge of the Administrative Body. The firing of Chief Marx was presented in a Closed Session one week prior and the Council supported the Mayor in the concept of what he needed to do in the scope of his position.

18:53:39 **Kip Geis** asked why the Mayor has not responded during the Council Meeting.

Mayor Wall responded and said that he will not bring out the issues in regards to the firing of the Chief of Police.

18:56:29 **Kristen Gabitis** asked what the process is if they are not pleased with the Mayor's actions.

18:57:50 **Brent Van Wagoner** said that the residents are emotional about the issue of Chief Larry Marx and requested to know more details. He also thanked the City Council for their service.

18:59:16 **Larry Johnson** said that he would like to know some more answers in regards to the firing of Chief Marx.

19:02:47 Council Member Les Matsumura took a poll of the representation of the Council Districts within the City.

19:03:23 **Terrie Johnson** spoke in regards to the firing of Chief Marx.

There were no additional citizen comments and Chairman Pratt closed the public comment period.

**2. Ordinance No. 06-22 – Amending and Restating the Compensation Range for Statutory Officers and Other City Employees – *John Inch Morgan***

19:06:10 City Administrator John Inch Morgan referenced the recommended employee compensation ranges, as developed by the City's consultant, CBIZ, and called for Council approval to restate the City's current compensation.

19:09:26 Council Members discussed at length the proposed ordinance and the proposed compensation range and salary adjustments.

19:52:53 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-22 – Amending and Restating the Compensation Range for Statutory Officers and Other City Employees. Council Member Morris Pratt **SECONDED** the motion. Vice-Chairman Pratt called for discussion. 19:53:35 Council Member Lynn Handy asked for clarification and further discussion was held among the Council Members. Chairman Pratt then called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-no, Handy-no, Matsumura-yes, and Pratt-no. **All City Council members voted and the motion died 3 to 2.**

19:59:52 Lengthy discussion ensued.

20:04:19 Council Member Lynn Handy **MOVED** to adopt Ordinance No. 06-22 – Amending and Restating the Compensation Range for Statutory Officers and Other City Employees and reducing the maximum salary range for Grades 15, 16, 17 and 18 of the Compensation Range by 5%. Council Member Les Matsumura **SECONDED** the motion. Vice-Chairman Pratt called for discussion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-no, Handy-yes, Matsumura-yes, and Pratt-no. **All City Council members voted and the motion passed 3 to 2.**

### 3. Other Matters

20:06:34 Mayor Wall said that the Salt Lake Tribune reported that the Salt Lake County Council is the recipient of ZAP Funds of 4.3 Million dollars towards the improvement of the baseball diamonds at Vista Park. He recommended that the Council Members send a "Thank You" to County Council Members Randy Horiuchi, Michael Jensen and David Wilde for their diligent effort in acquiring that money for the City.

### 4. Adjournment

20:09:13 Council Member Les Matsumura **MOVED** to adjourn the Special City Council Meeting. Council Member Jerry Rechtenbach **SECONDED** the motion. Vice-Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Handy-yes, Matsumura-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:09 p.m.

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## CITY COUNCIL WORK SESSION

### Attendance:

Mayor Russ Wall

### Council Members:

Chairman Morris Pratt  
Vice-Chairman Jerry Rechtenbach  
Council Member Bud Catlin  
Council Member Les Matsumura  
Council Member Lynn Handy

### City Staff:

John Inch Morgan, City Administrator  
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Virginia Loader, City Recorder  
Robin Kishiyama, Council Coordinator  
Ed Spann, Police Lieutenant  
Donald Adams, Economic Development Director  
Michael Kwan, Justice Court Judge  
Jean Ashby, Economic Development Secretary  
Gordon Haight, City Engineer

**Citizens:** Jolene Dearden, Gordon Wolf, Patrick Tomasino, Katreena Johnson, Mark Hiddson

20:26:40 Council Chairman Pratt called the Work Session to order at 8:26 p.m. and welcomed those in attendance. City Recorder Virginia Loader conducted a roll-call, and the following Council Members were present: Rechtenbach-present, Catlin-present, Handy-present, Matsumura-present, and Pratt-present.

The Council concurred to address Agenda Item No. 2 from a previous recommendation.

**2. Discussion of Recommended Changes to Section 8.24.060 “Animals Running at Large” to Accommodate Pigeons – *Ted Jensen***

20:28:06 Ted Jensen, of the Ordinance Review Committee, presented recommended changes to the City Ordinance regarding “Animals Running at Large.” Mr. Jensen explained that the changes would allow residents to keep pigeons with a conditional use permit and exercise them for racing and other purposes. He further explained that it would be necessary to change the provision in Section 8.24.060 as follows:

“8.24.060: ANIMALS RUNNING AT LARGE:

“It shall be unlawful for any owner, handler or any person harboring any animal to allow such animal at any time to run at large. The owner, handler or person harboring an animal found running at large shall be strictly liable for violations of this section regardless of precautions taken to prevent the escape of the animal regardless of whether or not he knows the animal is running at large. The owner, handler or person harboring any animal shall be liable in damages for injuries committed by such animal. **This does not include registered banded pigeons.**”

Mr. Jensen further explained that this change will require that the pigeons be registered with a pigeon fancier organization and the individual birds must be banded in order to fly. He explained that the neighbors and the City will have their say when the resident applies for a conditional use permit.

Mr. Jensen said that the City has adopted all the regulations of the Salt Lake Valley Health Department. Health regulation # 10 covers pigeons and wild birds. He spoke specifically to Section 5.7 and all of Chapter 6 that cover exercising and control of the birds.

20:31:05 Mr. Jensen then addressed questions from the City Council.

20:36:40 Mr. Horrocks spoke of pigeons and recommended banding pigeons.

Discussion was held among the Council Members.

The Council concurred that pigeons should be required to be banded but not registered. Mr. Jensen was instructed to bring the ordinance back for Council's consideration at a Regular City Council Meeting.

**3. Discussion of the Ordinance Review Committee's Recommended Changes to Title 11 – *Ted Jensen***

20:49:20 Ted Jensen, Ordinance Review Committee Chairman, presented changes that are being recommended to Title 11 regarding Vehicles and Traffic. He noted that the Committee's objective is to adopt as much of the State Code as possible and update what remains. Mr. Jensen recognized the help of Chief Marx, Lt. Dial, and City Engineer Gordon Haight.

Mr. Jensen said that Committee member Doreen Weyland, who works for the State and is very familiar with State Code, created a comparison between Title 11 and State Code. He said that the State Code was more comprehensive and matched up well. He said they also consulted with Taylorsville High School Principal Jerry Haslam regarding Chapter 11.24 on traffic and parking on school grounds. They also reviewed what other cities use and found that there are other cities that adopt State Code by reference. Mr. Jensen said that the resulting code is much shorter, better, up to date, and easier for the Police Department to enforce since they are already familiar with State Code.

Mr. Jensen further explained that they have retained those portions of the current code that were recently adopted without any changes such as Chapter 11.22 on the parking permit program, Section 11.12.65 on low profile vehicles and motor assisted scooters, Section 11.20.060 on parking of trucks and commercial vehicles, etc.

Mr. Jensen said that they still have questions about Section 11.44.010 on Violation; Penalties and it said that it would be very helpful for Judge Kwan, Mayor Wall, and the City Attorney, to provide some additional information and background on this section before any decision is made. He said that they were not certain if they could recommend making the penalties more lenient or not. However, committee member Jessica McCauliffe, an attorney for Murray City, assured them that cities have codes similar to this to save on court costs, especially when the fine would be much less than the court costs to challenge it. He said that the Ordinance Review Committee recommends removing it and requested an opinion from the City Attorney before a final decision is made.

Mr. Jensen proposed the following recommendations:

- Notify Granite School District and Salt Lake Community College of the recommended changes to Chapter 11.24 on Traffic and Parking on School Grounds

- Chapter 11.32, on bicycles, was generally unenforceable - remove the bulk of it. However, it still allows bicycle licenses to be issued and protects those that want to use them. (See section 11.32.110.)
- Chapter 11.45, on wrecker service, was added at the recommendation of the Police Department. It requires police permission before towing vehicles because of the number of stolen vehicles that end up being towed. It also provides more consideration to vehicle owners when they find their vehicle being towed or booted.

Mr. Jensen explained that Section 11.12.060, one arm driving prohibited, was removed. It was determined that this situation, along with cell phone use, is adequately covered under the inattentive or reckless driving portions of state code.

20:54:10 At the request of the City Council, Justice Court Judge Michael Kwan addressed the City Council regarding the proposed ordinance.

20:57:41 The Council instructed Mr. Jensen to provide City Attorney John Brems the information so he can draft an ordinance in final form. They requested that the ordinance be brought back to the City Council by July.

# **1. Discussion of the 2006-2007 Fiscal Year Tentative Budget – *John Inch Morgan***

20:59:19 City Administrator John Inch Morgan led discussion on the Fiscal-Year 2006-2007 Tentative City Budget.

22:27:36 Mr. Morgan was asked to correct some budgets numbers and provide a copy to the City Council.

22:43:55 In regards to adding a Code Enforcement Officer in the Community Development Department, Council Member Jerry Rechtenbach said that he needs to study the issue more before he casts a vote.

23:00:49 Mayor Wall suggested that the Council consider not giving the employees a C.O.L.A. but rather increase their pay for performance merit by 5%.

23:14:30 It was the consensus of the City Council to not make the proposed CBIZ Market Adjustment all in one year; however, a percentage was not decided upon.

23:16:59 Discussion was held in regards to the Police Department employees.

23:22:56 Council Member Les Matsumura recommended purchasing software to assist in the budget preparation.



23:27:05 Chairman Morris Pratt said that due to a prior commitment, he may not be able to attend the June 21 City Council Meeting.

**4. Other Matters**

**5. Adjournment**

23:27:59 Council Member Les Matsumura **MOVED** to adjourn the Work Session Meeting. Council Member Lynn Handy **SECONDED** the motion. Vice-Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-yes, Handy-yes, Matsumura-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 11:28 p.m.

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Virginia Loader, City Recorder

Minutes approved: CC 06-14-06

*Minutes Prepared by: Virginia Loader*